

**STATE OF ILLINOIS
COMMERCE COMMISSION
PUBLIC UTILITIES
MINUTES OF JULY 12, 2006
BENCH MEETING**

Pursuant to Section 2.02 of the Open Meetings Act, a Bench Meeting of the Commerce Commission was convened by Chairman Box at 10:30 a.m. on July 12, 2006 in the Chicago Office of the Commission. Present were: Commissioners Ford, Lieberman, O'Connell-Diaz, Wright and Chairman Box.

Approval of Minutes

The following minutes were adopted:

May 31, 2006 Special Open Meeting
May 31, 2006 Electric Policy Meeting
June 1, 2006 Special Open Meeting
June 1, 2006 Public Forum Policy Meeting
June 6, 2006 Pre-Bench Meeting
June 6, 2006 Electric Policy Meeting
June 7, 2006 Bench Meeting
June 28, 2006 Bench Meeting

**Commissioner O'Connell-Diaz made a Motion to adopt the minutes.
Commissioner Wright seconded the Motion. All present voted aye on the Motion.**

Electric

E-1	03-0056	Illinois Commerce Commission On Its Own Motion Proceeding to monitor the ongoing development of the marketplace for Commonwealth Edison Customers.
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This item will be considered at the July 26th Bench meeting.

This item was HELD – No Action Taken

E-2	05-0597	Commonwealth Edison Company Proposed general increase in rates for delivery service. (Tariffs filed on August 31, 2005)
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Topics of discussion included: ALJs Dolan and Haloulos followed up on the questions posed by the Commissioners at the July 11th Pre-bench meeting regarding ComEd's current capital structure; ComEd's current capital structure is not straightforward due to

the changing factors of acquired debt and pension asset contributions; previously, ComEd had been receiving a return on the 2001 divestiture of a nuclear power plant; in this docket, they are requesting \$2 billion in goodwill to be added to capital assets; Staff said this is problematic since the Company is seeking a return on equity they no longer own; Commissioners Lieberman and Wright feel this is a significant issue and look forward to expanded discussion on these issues at Oral Argument set for July 21.

E-3	06-0107	Shorewood Hospitality Services, Inc. -vs- Commonwealth Edison Company Complaint as to billing/charges in Shorewood, Illinois.
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All present voted aye on the Stipulation and Joint Motion to Dismiss

E-4	06-0274	MidAmerican Energy Company Application pursuant to Section 6-102(b) of the Public Utilities Act for an Order Authorizing the Issuance and Sale of up to \$600,000,000 Aggregate Principal Amount of Long-Term Notes.
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All present voted aye on the Order Approving Application

E-5	06-0414	Monroe County Electric Co-Operative, Inc. and Illinois Power Company d/b/a AmerenIP Joint Petition for Approval of Request to Serve pursuant to Section 7 of the Service Area Agreement dated September 7, 1979, between Monroe County Electric Co-Operative, Inc. and Illinois Power Company d/b/a AmerenIP.
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All present voted aye on the Order Granting Petition

E-6	06-0443	Southwestern Electric Cooperative, Inc. and Illinois Power Company d/b/a AmerenIP Joint Petition for Approval of Amendment No. 9 to the Service Area Agreement dated August 20, 1970, between Southwestern Electric Cooperative, Inc. and Illinois Power Company d/b/a AmerenIP.
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All present voted aye on the Order Approving Amendment to Agreement

G-1	05-0660	Gladys Kendrick -vs- Northern Illinois Gas Company d/b/a Nicor Gas Company Complaint as to billing/charges in Cook County, Illinois.
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All present voted aye on the Joint Motion to Dismiss

G-2 06-0303 Sandra Mankowski
 -vs-
 Peoples Gas Light and Coke Company
 Complaint as to billing/charges in Chicago, Illinois.

All present voted aye on the Joint Motion to Dismiss

G-3	06-0306	Consumers Gas Company Petition pursuant to Section 7-101 of the Public Utilities Act seeking authority to enter an agreement for employment of an engineering company in which an affiliated interest exists.
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All present voted aye on the Order Granting Petition

G-4	06-0354	Steven Davis -vs- Peoples Gas Light and Coke Company Complaint as to billing/charges in Chicago, Illinois.
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All present voted aye on the Joint Motion to Dismiss

G-5 06-0380 Betty McAfee
 -vs-
 Central Illinois Light Company d/b/a AmerenCILCO
 Complaint as to billing/charges in Springfield, Illinois.

All present voted aye on the Docket Entry Authorizing Dismissal of Proceeding with Prejudice

Telecommunications

"Do Not Investigate" Tariff Recommendations

T-1	TRM #1	Illinois Bell Telephone Company Filing to modify the terms and conditions of uSelect 3
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Win/Winback offering.

All present voted aye to Not Investigate the Filing

T-2 TRM #145 Gallatin River Communications L.L.C.
Filing to increase Directory Assistance rates.

All present voted aye to Not Investigate the Filing

T-3 TRM #159 Illinois Bell Telephone Company
Filing to modify the credit amounts in permanent waiver
offer of IntraMSA Presubscription charge.

All present voted aye to Not Investigate the Filing

T-4 TRM #168 Verizon North Inc.
Filing to increase Message Toll Telephone Service rates
for residential customers.

All present voted aye to Not Investigate the Filing

T-5 TRM #169 Verizon South Inc.
Filing to increase Message Toll Telephone Service rates
for residential customers.

All present voted aye to Not Investigate the Filing

T-6 TRM #431 Illinois Bell Telephone Company
TRM #432 Filing to introduce AT&T Business Local Calling Essentials
as an optional bundled package.

All present voted aye to Not Investigate and Not Suspend the Filings

T-7 TRM #433 Illinois Bell Telephone Company
TRM #434 Filing to introduce additional service options to its OC-n
Dedicated Ring Service.

All present voted aye to Not Investigate and Not Suspend the Filings

"Do Not Suspend" Tariff Recommendations
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T-8	TRM #414 TRM #415 TRM #468	Citizens Telecommunications Company of Illinois d/b/a Frontier Citizens Communications of Illinois Filing to introduce new bundled service offerings entitled
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Small Business Advantage.

All present voted aye to Not Suspend the Filings

Investigate Tariff Recommendations

Suspend Orders/Resuspension Orders

Certificate Cases

T-9	06-0248	ACN Communication Services, Inc. Application for a certificate of Authority to operate as a Wireless reseller in the State of Illinois.
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All present voted aye on the Order Granting Certificate

T-10	06-0378	Tele-Reconnect Inc. Application for Certificate to become a Telecommunications Carrier
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All present voted aye on the Order Granting Certificate

T-11	06-0387	Elite Telnet, LLC Application for certificate of local and interexchange authority to operate as a reseller of telecommunications.
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All present voted aye on the Order Granting Certificates

T-12	06-0438	NTS Services Corp. Application for a certificate of local and interexchange authority to operate as a reseller or facilities based carrier of telecommunications services statewide in the State of Illinois.
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All present voted aye on the Order Granting Certificates

Surrender of Certificates

Complaint Cases

T-13	06-0239	Gerard R. McCraw -vs- AT&T Communications of Illinois, Inc. Complaint as to over charges on phone bill in Chicago,
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Illinois.

All present voted aye on the Joint Motion to Dismiss

9-1-1 Cases

T-14	06-0427	Village of Norridge 9-1-1 System Petition for Approval of Modifications to the Existing 9-1-1 Emergency Telephone Number System.
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All present voted aye on the Order Granting Petition

Other

T-15	06-0480	Illinois Commerce Commission On Its Own Motion -vs- Acceris Communications Corp. Citation for failure to maintain corporate status
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All present voted aye on the Order Initiating Citation Proceeding

T-16	06-0481	Illinois Commerce Commission On Its Own Motion -vs- Axces, Inc. d/b/a Axces of Delaware Citation for failure to maintain corporate status
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All present voted aye on the Order Initiating Citation Proceeding

T-17	06-0482	Illinois Commerce Commission On Its Own Motion -vs- Buehner-Fry, Inc. d/b/a DirectDial USA d/b/a Resort Operator Services Citation for failure to maintain corporate status
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All present voted aye on the Order Initiating Citation Proceeding

T-18	06-0483	Illinois Commerce Commission On Its Own Motion -vs- BuzB Corporation Citation for failure to maintain corporate status
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All present voted aye on the Order Initiating Citation Proceeding

T-19 06-0484 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 Buzz Telecom, Corporation
 Citation for failure to maintain corporate status

All present voted aye on the Order Initiating Citation Proceeding

T-20 06-0485 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 Inmark, Inc. d/b/a Preferred Billing
 Citation for failure to maintain corporate status

All present voted aye on the Order Initiating Citation Proceeding

T-21 06-0486 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 McGraw Communications, Inc.
 Citation for failure to maintain corporate status

All present voted aye on the Order Initiating Citation Proceeding

T-22 06-0487 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 New Century Telecom, Inc.
 Citation for failure to maintain corporate status

All present voted aye on the Order Initiating Citation Proceeding

T-23 06-0488 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 Universal Access, Inc.
 Citation for failure to maintain corporate status

All present voted aye on the Order Initiating Citation Proceeding

T-24 06-0489 Illinois Commerce Commission

On Its Own Motion
-vs-
AllCom USA, Inc.
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-25 06-0490 Illinois Commerce Commission
On Its Own Motion
-vs-
BAK Communications, LLC
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-26 06-0491 Illinois Commerce Commission
On Its Own Motion
-vs-
Cogent Communications of Illinois, Inc.
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-27 06-0492 Illinois Commerce Commission
On Its Own Motion
-vs-
Comdata Telecommunications Services, Inc.
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-28 06-0493 Illinois Commerce Commission
On Its Own Motion
-vs-
Communication Discount Services, Inc.
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-29 06-0494 Illinois Commerce Commission
On Its Own Motion
-vs-
InSITE Solutions LLC d/b/a InSITE Fiber of Illinois
Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-30 06-0495 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 Local Fiber, LLC
 Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-31 06-0496 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 PT-1 Communications, Inc.
 Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-32 06-0497 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 PT-1 Long Distance, Inc.
 Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-33 06-0498 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 Red River Networks, LLC
 Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-34 06-0499 Illinois Commerce Commission
 On Its Own Motion
 -vs-
 STS Connect, Inc. d/b/a Star Telecommunication Services
 Citation for failure to file Annual Report

All present voted aye on the Order Initiating Citation Proceeding

T-35 05-0575 Illinois Bell Telephone Company

Compliance with the Requirements of 13.505.1 of the
Public Utilities Act (Payphone Rates).

Topics of discussion included: ALJ Moran gave a brief overview of the case; due to a discovery dispute in this proceeding, ALJ Moran directed the parties to file comments on the scope of the docket; on April 6, she issued a Ruling on Scope and Direction; the Illinois Payphone Telecommunications Association ("IPTA") filed a Petition for Interlocutory Review, arguing it is severely limited from showing how to reconcile the differing regulatory requirements under investigation; the IPTA objects to going forward on the proposal of substituting TELRICs for LRSICs; however, the first attempt to reconcile these differences, through updating AT&T's LRSICs, proved ineffective; the IPTA proposal of further examining the LRSICs would complicate the proceeding and work against satisfying the requirements; the ALJ's Ruling stated the proceeding should go forward in exploring how substituting TELRIC for LRSIC may simultaneously address these requirements; therefore, ALJ Moran recommends denying the Petition for Interlocutory Review.

All present voted aye to Deny the Petition for Interlocutory Review

T-36	05-0675	Illinois Bell Telephone Company Proposed revision to the Collocation Tariffs to eliminate charges for DC power on a per kilowatt-hour basis and to implement charging on a per amp basis.
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Topics of discussion included: ALJ Gilbert gave a brief overview of the tariff modifications in this Order; CLECs are charged for electric power consumed at AT&T's collocation sites; AT&T previously imposed a per kW h charge; AT&T now maintains that its present metering system is inaccurate and does not capture all the power the CLECs consume; the proposed new tariff converts the measurement from kilowatt-hours to amperes; AT&T would also implement a power pre-ordering system; the parties think an improved metering system could be devised that would be a better option than AT&T's proposed pre-ordering system; ALJ Gilbert concluded that a pre-ordering system is the best available alternative presented in the record.

All present voted aye on the Order Approving Tariff as Modified

Section 252

T-37	06-0307	Grafton Telephone Company and WirelessCo, L.P.; SprintCom, Inc.; Nextel West Corp. Joint Petition for Approval of an Arbitrated Interconnection
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Agreement pursuant to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Agreement

T-38 06-0308 The Marseilles Telephone Company
and
WirelessCo, L.P.;
SprintCom, Inc.;
Nextel West Corp.
Joint Petition for Approval of an Arbitrated Interconnection
Agreement pursuant to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Agreement

T-39 06-0309 Metamora Telephone Company
and
WirelessCo, L.P.;
SprintCom, Inc.;
Nextel West Corp.
Joint Petition for Approval of an Arbitrated Interconnection
Agreement pursuant to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Agreement

T-40 06-0374 Verizon North Inc. Verizon South Inc. and Ernest
Communications, Inc.
Joint Petition for Approval pursuant to 47 U.S.C. Sections
252 (a)(1) and 252(e) of an Interconnection Agreement.

All present voted aye on the Order Approving Agreement

T-41 06-0304 Illinois Bell Telephone Company
and
Nexus Communications, Inc.
Joint Petition for Approval of 4th Amendment to the
Interconnection Agreement dated April 13, 2006, pursuant
to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Amendment to Agreement

T-42 06-0341 Illinois Bell Telephone Company
and
CMC Telecom, Inc.
Joint Petition for Approval of 2nd Amendment to the

Interconnection Agreement dated April 13, 2006, pursuant to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Amendment to Agreement

T-43 06-0345 Illinois Bell Telephone Company
and US Xchange of Illinois, L.L.C.
d/b/a ChoiceOne d/b/a ChoiceOne Communications
Joint Petition for Approval of 7th Amendment to the
Interconnection Agreement dated March 31, 2006,
pursuant to 47 U.S.C. Section 252

All present voted aye on the Order Approving Amendment to Agreement

T-44 06-0371 Illinois Bell Telephone Company
and
Vertex Broadband, Corp.
d/b/a AthenaTel
d/b/a Reason To Switch
d/b/a TownLink Communications
d/b/a INT Connections
Joint Petition for Approval of 3rd Amendment to
Interconnection Agreement dated May 8, 2006, pursuant
to 47 U.S.C. Section 252.

All present voted aye on the Order Approving Amendment to Agreement

T-45 06-0375 Verizon North Inc. Verizon South Inc. and Ernest
Communications, Inc.
Joint Petition for Approval of an Agreement Amending the
Terms of an Interconnection Agreement pursuant to 47
U.S.C. Section 252.

All present voted aye on the Order Approving Amendment to Agreement

Water and Sewer

W-1 06-0285 Aqua Illinois, Inc. Proposed general increase in water rates for the Kankakee Water division. (tariffs filed February 28, 2006)

All present voted aye on the Resuspension Order

Miscellaneous

Petitions for Rehearing

Scheduling of Meetings and Other Business
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FERC Dkt. No. ER06-1112-000: Comments of the
Organization of MISO States Regarding the Midwest ISO's
June 6 Resource Adequacy Informational Filing

**Commissioner O'Connell-Diaz made a Motion to go into closed session.
Commissioner Wright seconded the Motion. All present voted aye on the Motion.**

**Upon return to open session, all present voted aye to authorize Commissioner
Wright to vote in favor of the Comments at the July 13th Board Meeting.**

The meeting was adjourned.